IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 24TH AUGUST 2007 / 2ND BHADRA 1929

Con.Case(C).No. 646 of 2007(S)

(NON-COMPLIANCE OF THE JUDGEMENT IN WPC.34135/2006 Dated 26/12/2006)

PETITIONER/PETITIONER

K.M.SATHYAN, S/O MADHAVAN,
AGED 40 YEARS, KALLIYATH HOUSE,
P.O.PERINCHERRY, THRISSUR DISTRICT.

BY ADV. SRI.MILLU DANDAPANI

RESPONDENT/: 2ND RESPONDENT IN W.P(C)

SMT. ROSAMMA(AGE AND FATHER'S NAME
NOT KNOWN TO THE PETITIONER) SECRETARY,
REGIONAL TRANSPORT AUTHORITY, THRISSUR.

BY GOVERNMENT PLEADER SHRI THOMAS JOHN AMBOOKKEN,

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD ON 24/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.T. SANKARAN, J.

.....

CONTEMPT CASE (CIVIL) No. 646 OF 2007

.....

Dated this the 24th August, 2007

J U D G M E N T

This contempt case is filed by the petitioner in W.P.(C) 34135 of 2006 alleging that the respondent deliberately and wilfully disobeyed the directions contained in the judgment in the matter of issuing temporary permit to the petitioner within the time stipulated in the judgment The petitioner had filed C.O.C.No. 268 of 2007 earlier . That Contempt case was closed as per order dated 7th March, 2007 relying on the affidavit filed by the R.T.O., Thrissur.

2. Thereafter, C.O.C.No. 646 of 2007 is filed stating that what was stated in the affidavit filed by the R.T.O. was not correct and that the temporary permit was not issued as directed by this court. The Deputy Transport Commissioner, Central Zone-I, has filed an affidavit dated 22nd August, 2007 stating that in obedience to the directions in the judgment, 20 days' temporary permit was issued on 19.04.2007 . It is also stated that a timing conference was conducted on 19.04.2007 and settled the timings after hearing the petitioner and other operators. Permit No.T.P. 8/737/2007 valid from 19.04.2007 to 08.05.2007 was issued. The deponent of the affidavit has also

tendered unconditional apology for the delay in complying with the directions issued by this court.

3. From the present affidavit, it is clear that the affidavit filed by the R.T.O., Thrissur in C.O.C. 268 of 2007 was not fully correct. However, taking into account the unconditional apology tendered by the deponent of the affidavit, I am inclined to drop further proceedings in the matter.

C.O.C.No. 646 of 2007 is closed.

K.T. SANKARAN,
JUDGE.

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